

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A.No. 708 of 2006

CORAM: Hon'ble Shri S.R. Nayak, CJ
& Hon'ble Shri Dilip Raosaheb Deshmukh, J.

APPELLANT : Branch Manager, T.P. Nagar, Korba
NON-APPLICANT Through Branch Manager, United India
No.3 Insurance Company, Rajendra Nagar
Chowk, Bilaspur (C.G.)

VERSUS

RESPONDENTS : 1. Uttradevi, aged 43 years, wife of
Rameshwar Chandra,
: 2. Rameshwar Chandra, aged 46 years, Son
of Makhanlal Chandra,
Both resident of Village Jaijaipur,
District-Janjgir-Champa (C.G.), present
resident of Vinoba Nagar, Bilaspur
(Chhattisgarh)

CLAIMANT

: 3. Vishwanath Chandra, aged 26 years, Son
of Rameshwar Chandra, permanent
resident of Village-Jaijaipur, District-
Janjgir-Champa (C.G.), present resident
of Bengalipara, Sarkanda, District-
Bilaspur (Chhattisgarh),
(Owner of Yamaha Motorcycle No.
C.G.-11-B-1830)
: 4. Sulochana Bai, aged about 20 years,
Daughter of Mohanlal, resident of
Village-Ulkhar, Tahsil-Sarangarh, Tahsil-
Raigarh (Chhattisgarh)

NON-APPLICANT NO.1 & 2

Shri Pankaj Agrawal, learned counsel for the appellant.

ORAL ORDER

(Passed on 19th June, 2006)

The following oral order of the Court was passed by
S.R.NAYAK, C.J.

Heard.

It was contended that the M.A.C.T. ought not to have fastened
the liability to pay compensation on the appellant Insurance Company,

because, on the date of the accident, the driver of the Motor Vehicle involved in the accident, did not have the driving license at all. It is true that such a plea was taken in the written statement filed before the M.A.C.T. by Insurance Company, but, it had utterly failed to substantiate that plea by adducing any evidence.

In that view of the matter, fastening the liability on the Insurance Company to pay compensation could not be faulted. No other point was urged before us. The appeal is devoid of merit and it is accordingly dismissed. No costs.

Sd/-
Chief Justice

Sd-/
Dilip Raosaheb Deshmukh
Judge